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09/574,738	05/17/2000	Igor Plotnikov	004009.P002	9251

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EXAMINER

DARROW, JUSTIN T

ART UNIT PAPER NUMBER

2132

DATE MAILED: 05/21/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

SK

# Office Action Summary

Application No.

09/574,738

Applicant(s)

PIOTNIKOV ET AL.

Examiner

Justin T. Darrow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 and 9-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 13-19, 21-23 and 35 is/are allowed.
- 6) ☒ Claim(s) 1, 4, 12, 20, 24, 28 and 34 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 5-7, 9-11, 25-27 and 29-33 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 May 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |  |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)            |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date <u>2</u> . | 6) <input type="checkbox"/> Other: ____  |

**DETAILED ACTION**

1. Claims 1-7 and 9-35 have been presented for examination.

***Drawings***

2. The drawings filed on 05/17/2000 are acceptable subject to correction of the informalities indicated on the attached "Notice of Draftperson's Patent Drawing Review." Formal drawings with corrections must be made in reply to this Office action. See 37 CFR 1.85(a).

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 20 recites the limitation "server" in line 2. There is insufficient antecedent basis for this limitation in the claim. This rejection can be overcome by deleting "server" in line 2 and replacing with --service--.

***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 1, 4, 12, 24, 28, and 34 are rejected under 35 U.S.C. 102(e) as being anticipated by Grantges, Jr. et al., U.S. Patent No. 6,510,464 B1.

As per claims 1 and 34, Grantges, Jr. et al. disclose a method and a computer readable medium, comprising:

receiving a request from a destination computer behind the firewall, the destination computer request demonstrating that the destination computer is available to be accessed (see column 4, lines 55-58; presenting multiple choices for accessing multiple applications; see column 4, lines 9-15; figure 1, items 28<sub>1</sub>, 28<sub>2</sub>, 28<sub>3</sub>, 30<sub>1</sub>, 30<sub>2</sub>, and 30<sub>3</sub>; where the applications reside on destination servers);

receiving a request from a remote browser to access the destination computer (see column 4, lines 33-40; figure 1, items 18, 22, and 34; the user of the client computer enters a

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destination URL into a web browser to issue an HTTP request; see column 4, lines 58-60; selecting a particular application);

associating the browser with the destination computer using the browser request and a corresponding destination computer request (see column 4, lines 58-60; displaying a welcome page to the user for the selected application); and

providing communication between the browser and the destination computer, the communication being in the form acceptable to the firewall (see column 4, lines 61-65; figure 18, 22, 20, and 32; providing an efficient mechanism for routing the remote user to the selected application being served by one of the destination servers through the firewall).

As per claim 4, Grantges, Jr. et al. further teach that the browser request is encrypted (see column 5, lines 11-15; figure 1, item 52; a secure connection for the web browser through the Secure Sockets Layer (SSL) protocol);

As per claim 12, Grantges, Jr. et al. also describe that the communication between the browser and the destination computer is provided in a secure manner (see column 5, lines 11-15; figure 1, item 52; a secure connection for the web browser through the Secure Sockets Layer (SSL) protocol).

As per claim 24, Grantges, Jr. et al. disclose a system comprising:

a destination computer issuing requests demonstrating that the destination computer is available to be accessed (see column 4, lines 55-58; presenting multiple choices for accessing

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multiple applications; see column 4, lines 9-15; figure 1, items 28<sub>1</sub>, 28<sub>2</sub>, 28<sub>3</sub>, 30<sub>1</sub>, 30<sub>2</sub>, and 30<sub>3</sub>; where the applications reside on destination servers);

a remote browser issuing a browser request to access the destination (see column 4, lines 33-40; figure 1, items 18, 22, and 34; the user of the client computer enters a destination URL into a web browser to issue an HTTP request; see column 4, lines 58-60; selecting a particular application); and

an intermediary service coupled to the browser and the destination computer via a network, receiving the destination request (see column 4, lines 45-60; figure 1, items 34, 52, and 18; presenting the options page to the user through the proxy server) and the browser request (see column 4, lines 33-40; figure 1, items 22 and 34; the web browser issuing an HTTP request across the insecure network through the proxy server), associating the browser with the destination computer using the browser request and a corresponding destination computer request (see column 4, lines 58-60; displaying a welcome page to the user for the selected application); and

providing communication between the browser and the destination computer, the communication being in the form acceptable to the firewall (see column 4, lines 61-65; figure 18, 22, 20, and 32; providing an efficient mechanism for routing the remote user to the selected application being served by one of the destination servers through the firewall).

As per claim 28, Grantges, Jr. et al. also describe that the intermediary service provides secure communication between the browser and the destination computer (see column 5, lines

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11-15; figure 1, item 52; a secure connection for the web browser with the proxy server through the Secure Sockets Layer (SSL) protocol).

***Allowable Subject Matter***

7. Claims 13-19, 21-23, and 35 are allowed.
8. Claims 2, 3, 5-7, 9-11, 25-27, and 29-33 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.
9. Claim 20 would be allowable if rewritten or amended to overcome the rejection under 35 U.S.C. 112, second paragraph, set forth in this Office action.
10. The following is an examiner's statement of reasons for allowance:
11. Claims 13-19 and 21-23; and claim 35 are drawn to a method and a computer readable medium for providing access to a destination computer, respectively. The closest prior art, Grantges, Jr. et al., U.S. Patent No. 6,510,464 B1, discloses a similar method and computer readable medium. However, they neither teach nor suggest sending destination computer requests to an intermediary service at predetermined intervals, demonstrating that the destination computer is available to be accessed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### *Conclusion*

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Fuh et al., U.S. Patent No. 6,463,474 B1, disclose a method and apparatus for providing network access through a firewall
- Devine et al., U.S. Patent No. 6,598,167 B2, describe security protocols to protect remote user communications with remote enterprise services

### *Telephone Inquiry Contacts*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin T. Darrow whose telephone number is (703) 305-3872 and whose electronic mail address is [justin.darrow@uspto.gov](mailto:justin.darrow@uspto.gov). The examiner can normally be reached Monday-Friday from 8:30 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barrón, Jr., can be reached at (703) 305-1830.

The fax number for Formal or Official faxes to Technology Center 2100 is (703) 872-9306. In order for a formal paper transmitted by fax to be entered into the application file, the paper and/or fax cover sheet must be signed by a representative for the applicant. Faxed formal papers for application file entry, such as amendments adding claims, extensions of time, and statutory disclaimers for which fees must be charged before entry, must be transmitted with an authorization to charge a deposit account to cover such fees. It is also recommended that the cover sheet for the fax of a formal paper have printed "**OFFICIAL FAX**". Formal papers



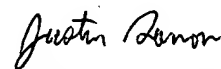
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transmitted by fax usually require three business days for entry into the application file and consideration by the examiner. Formal or Official faxes including amendments after final rejection (37 CFR 1.116) should be submitted to (703) 872-9306 for expedited entry into the application file. It is further recommended that the cover sheet for the fax containing an amendment after final rejection have printed not only **"OFFICIAL FAX"** but also **"AMENDMENT AFTER FINAL"**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

May 17, 2004



JUSTIN T. DARROW  
PRIMARY EXAMINER  
TECHNOLOGY CENTER 2100